UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	SJO920030020US1	Total Pages	32

First Named Inventor or Application Identifier

Richard Victor Kisley

Express Mail Label No.	ER032358151US

ADDRESS TO: Commissioner for Patents
Mail Stop Patent Application
P.O. Box 1450
Alexandria, VA 22313-1450

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. [X] Fee Transmittal Form
   (Submit an original, and a duplicate for fee processing)

2. [X] Specification   (Total Pages) __25__
   (Preferred arrangement set forth below)
   - Descriptive title of the Invention
   - Cross References to Related Application
   - Statement Regarding Fed sponsored R & D
   - Reference to Microfiche Appendix
   - Background of the Invention
   - Brief Summary of the Invention
   - Brief Description of the Drawings *(if filed)*
   - Detailed Description
   - Claim(s)
   - Abstract of the Disclosure

3. [X] Drawing(s) *(35 USC 113)*   (Total Pages) __5__

4. Oath or Declaration   (Total Pages) __2__

   a. [X] Newly executed (original or copy)

   b. [ ] Copy from a prior application (37 CFR 1.63(d))
      (for continuation /divisional with Box 17 completed)
      [Note Box 5 below]
      i. [ ] DELETION OF INVENTOR(S)
         Signed statement attached deleting inventor(s) named
         in prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

5. [ ] Incorporation by Reference *(useable if Box 4b is checked)*
   The entire disclosure of the prior application, from which a copy of
   the oath or declaration is supplied under Box 4b is considered as
   being part of the disclosure of the accompanying application and is
   hereby incorporated by reference therein.

6. [ ] Microfiche Computer Program *(Appendix)*

7. Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all necessary)*

   a. [ ] Computer Readable Copy

   b. [ ] Paper Copy (identical to computer copy)

   c. [ ] Statement verifying identify of above copies

ACCOMPANYING APPLICATION PARTS

8. [X] Assignment Papers (cover sheet & document(s))

9. [ ] 37 CFR 3.73(b) Statement   [X] Power of Attorney
       (when there is an assignee)

10. [ ] English Translation Document *(if applicable)*

11. [X] Information Disclosure   [X] Copies of IDS
        Statement (IDS)/PTO-1449   Citations

12. [ ] Preliminary Amendment

13. [X] Return Receipt Postcard (MPEP 503)
        (Should be specifically itemized)

14. [ ] Small Entity [ ] Statement filed in prior application,
        Statement(s)   Status still proper and desired

15. [ ] Certified Copy of Priority Document(s)
        if foreign priority is claimed)

16. [X] Other: Express Mail Certificate

        ....

17. If a CONTINUING APPLICATION, *check appropriate box and supply the requisite information:*

[ ] Continuation   [ ] Divisional   [ ] Continuation-in-part (CIP)   of prior application No.:

18. CORRESPONDENCE ADDRESS

[ ] *Customer Number or Bar Code Label* _____36491_____
[ ] *Or Correspondence address below*

NAME	Brian C. Kunzler
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Assign   Name: *INTERNATIONAL BUSINESS MACHINES CORPORATION*
Assign   Residence: *Armonk, New York*

Please type a plus sign (+) inside this box → [+]

PTO/SB/05 (12/97)
Approved for use through 9/30/03. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL

Note: Effective October 1, 2001.
Patent fees are subject to annual revision.

Complete If Known	
Application Number	Not yet assigned
Filing Date	July 30, 2003
First Named Inventor	Richard Victor Kisley
Group Art Unit	
Examiner Name	

TOTAL AMOUNT OF PAYMENT	$1306	**Attorney Docket Number**	SJO920030020US1

METHOD OF PAYMENT (check one)

1. [X] The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number: __09-0466__

Deposit Account Name: __IBM CORPORATION__

[X] Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

[ ] Charge the Issue Fee In 37 CFR at the Mailing of the Notice of Allowance

2. [ ] Payment Enclosed:

[ ] Check [ ] Money Order [ ] Other

FEE CALCULATION

1. FILING FEE

Large Entity		Small Entity			
Fee Code	Fee ($)	Fee Code	Fee ($)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	750
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) $ 750

2. CLAIMS

		Extra		Fee from below		Fee Paid
Total Claims	30	-20 =	10	x	18	= 180
Ind. Claims	7	- 3 =	4	x	84	= 336
Multiple Dep. Claims			0	x	280	= 0

Large Entity		Small Entity			
Fee Code	Fee ($)	Fee Code	Fee ($)	Fee Description	
1202	18	2202	9	Claims in excess of 20	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple dependent claim	

SUBTOTAL (2) $ 516

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity			
Fee Code	Fee ($)	Fee Code	Fee ($)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	2053	130	Non-English specification	
1812	2520	1812	2520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1840*	1805	1840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1450	2254	725	Extension for reply within fourth month	
1255	1970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1510	1451	1510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - intentional	
1453	1300	2453	650	Petition to revive - unintentional	
1501	1300	2501	650	Utility issue fee	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Petitions related to provisional applications	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	40
1809	750	1809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	

Other fee (specify) _____

*Reduced by Basic Filing Fee

SUBTOTAL (3) $ 40

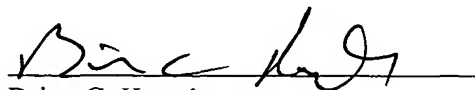| SUBMITTED BY		Complete (if applicable)	
Typed or Printed Name	Brian C. Kunzler	Reg. Number	38,527
Signature	*[signature]* Date Jul 30, 2003	Deposit Account User ID	

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label No.: ER032358151US

Date of Deposit: July 30, 2003

I hereby certify that this patent application in the name of Richard Victor Kisley for

APPARATUS, METHOD, AND SYSTEM FOR ASYNCHRONOUS REPLICATION OF A

HIERARCHICALLY-INDEXED DATA STORAGE, together with the drawings, a Declaration,

Power of Attorney, and Petition, an Assignment and Recordation Form Cover Sheet, Information

Disclosure Statement, PTO Form 1449, and Copies of Cited References are being deposited with the

United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10

on the date indicated above in an envelope addressed to Mail Stop Patent Application, Commissioner

for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Respectfully submitted,

Brian C. Kunzler
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Attorney for Applicant

Date: July 30, 2003
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